

ASSEMBLY BILL

No. 1523

Introduced by Assembly Member Blakeslee

February 22, 2005

An act to amend Section 19771 of the Government Code, relating to public employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1523, as introduced, Blakeslee. State employment: military leave of absence.

Existing law requires, upon presentation of a copy of orders for active duty in the Armed Forces, the National Guard, or the Naval Militia, the appointing power to grant a military leave of absence for the period of active duty specified in the orders, but not to exceed 4 years for a permanent, probationary, or exempt employee, or for the remainder of a limited-term employee's appointment or a temporary employee's appointment.

This bill would require the appointing power to grant a military leave of absence for the period of active duty specified in the orders, not to exceed 5 years.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 19771 of the Government Code is
- 2 amended to read:
- 3 19771. (a) Upon presentation of a copy of orders for active
- 4 duty in the Armed Forces, the National Guard, or the Naval
- 5 Militia, the appointing power shall grant a military leave of

1 absence for the period of active duty specified in the orders, but
2 not to exceed ~~four~~ *five* years for a permanent, probationary, or
3 exempt employee, or for the remainder of a limited-term
4 employee's appointment or a temporary employee's
5 appointment.

6 (b) If the provisions of this section are in conflict with the
7 provisions of a memorandum of understanding reached pursuant
8 to Section 3517.5, the memorandum of understanding shall be
9 controlling without further legislative action, except that if the
10 provisions of a memorandum of understanding require the
11 expenditure of funds, the provisions may not become effective
12 unless approved by the Legislature in the annual Budget Act.